

and 93 was passed to engrossment

Senator Kimbrough moved to reconsider, and that his motion be spread upon the Journal.

Senator Potter moved that Senator Tyler be excused for today on account of important business.

Carried.

Senator Page moved to adjourn to 9:30 a. m. tomorrow.

Senator Pope moved to adjourn to 10 a. m. tomorrow, which was carried, and the Senate adjourned to tomorrow morning at 10 o'clock.

#### NINETEENTH DAY.

SENATE CHAMBER.  
AUSTIN, February 3, 1891.

Senate met pursuant to adjournment.

President pro tem Cranford in the chair.

Roll called.

No quorum present.

The following senators answering to their names:

#### PRESENT—19.

Carter,	Johnson,	Pope,
Clark,	Kearby,	Potter,
Clemens,	Kimbrough,	Seale,
Crane,	Lubbock,	Simkins,
Cranford,	Maetze,	Stephens,
Finch,	Page,	Weisiger,
		Whatley.

#### ABSENT—4.

Atlee,	Garwood,	Glasscock,
		Townsend.

On motion of Senator Stephens a call of the Senate was ordered.

The sergeant-at-arms was instructed to summon absentees to appear in their places.

#### FIRST CALL.

#### PRESENT—20.

Atlee,	Johnson,	Potter,
Carter,	Kearby,	Seale,
Clark,	Kimbrough,	Simkins,
Clemens,	Lubbock,	Stephens,
Crane,	Maetze,	Weisiger,
Cranford,	Page,	Whatley.
Finch,	Pope,	

#### ABSENT—3.

Garwood,	Glasscock,	Townsend.
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#### SECOND CALL.

#### PRESENT—21.

Atlee,	Garwood,	Pope
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Clark,	Kearby,	Potter,
Clemens,	Kimbrough,	Seale,
Crane,	Lubbock,	Simkins,
Cranford,	Maetze,	Stephens,
Finch,	Page,	Weisiger,
Carter,	Johnson,	Whatley.

On motion of Senator Pope the call was suspended.

Prayer by the chaplain, Dr. Smoot.

The secretary commenced to read the journal of yesterday, pending which

On motion of Senator Kimbrough the further reading of the journal was dispensed with.

On motion of Senator Atlee, Senator Townsend was excused for Saturday, Monday and today on account of important business.

On motion of Senator Whatley Senator McKinney was excused for today on account of sickness.

On motion of Senator Kearby Senator Lubbock was excused for Saturday and Monday on account of sickness.

On motion of Senator Pope Senator Harrison was excused for yesterday and today on account of sickness.

On motion of Senator Kimbrough Senator Glasscock was excused until Thursday on account of important business.

The president pro tem. gave notice of signing and signed in presence of the Senate House bill No. 14, entitled "An act to repeal an act entitled 'an act to provide for the inspection of refined oils which are the product of petroleum and which may be used for illuminating purposes within this State and to regulate the use thereof, and to provide penalties for violation of same.'"

By consent Senator Pope withdrew his motion made yesterday to reconsider Senate bill No. 5.

#### PETITIONS AND MEMORIALS.

By Senator Carter:

Memorial from St. Louis merchants asking that Senate bill No. 113 be passed.

Referred to Judiciary committee No. 1.

#### COMMITTEE REPORTS.

Senator Pope made the following report:

COMMITTEE ROOM.  
Austin, Jan. 27, 1891.

Hon. Geo. C. Pendleton, President of the Senate.

Sir—Your Judiciary committee No. 1, to whom was referred

Senate bill No. 1, being "An act to provide for the holding of the terms of the supreme court, commission of appeals, and court of appeals at Austin, Tex."

Have had the same under consideration, and I am instructed to report the same back to the Senate with a majority and minority report, the majority of the committee favoring the passage of the bill.

POPE, Chairman.

Bill read first time.

#### MINORITY REPORT.

Austin, Texas, January 27, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

The undersigned, a minority of Judiciary committee No. 1, beg leave to report to the Senate that they do not concur in the majority report of the committee on Senate bill No. 1, entitled "An act to provide for the holding of the terms of the supreme court, commission of appeals and court of appeals at Austin, Texas," and beg leave to suggest

First—That said bill is in violation of section 3, article 5 of the constitution, which provides that "the supreme court shall sit for the transaction of business, etc., at the seat of government, and at not more than two other places in the state."

Second—That the present arrangement of having three branches of the court at different points in the state was established for the necessary convenience of the people, and to give to litigants and those charged with offenses the opportunity of "being heard by him self or counsel."

Third. That the immense territory of this State does now and will in the future require branches of the appellate courts to be held at more places than at the seat of government.

Fourth. That the additional expense incurred to the State by reason of said branches of the court is nominal and insignificant in comparison with the great convenience and saving of expense to the people of the sections where they are now situated.

Fifth. That no good or sufficient reason has been presented, nor can be, why said courts should be consolidated.

For these reasons and others the undersigned are opposed to the passage of said bill, and recommend that

it be rejected.

POPE,  
JOHNSON.

For Minority.

Senator Crane made the following report:

#### COMMITTEE ROOM.

Austin, February 3, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your Judiciary committee No. 2, to whom was referred

Senate bill No. 152, being an act entitled "An act to make it unlawful for any agent or agents of any corporation, firm or individual dealing in illuminating oils to sell the same to retail dealers the fire test of which is not 110 Farenheit, and repealing all laws in conflict herewith," and also Senate bill No. 187, being "An act to amend an act to provide for the inspection of refined oils which are the product of petroleum, and which may be used for illuminating purposes within this State, and to regulate the sale and use thereof, and to provide penalties for violation of same, approved April 5th, 1869."

Have had the same under consideration, and I am instructed to report back to the Senate the accompanying substitute bill, with the recommendation that it do pass.

All of which is respectfully submitted.

CRANE, Chairman.

Bill and substitute read first time.

Senator Crane made the following report:

#### COMMITTEE ROOM,

Austin, February 3, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your Judiciary committee No. 2, to whom was referred

Senate bill No. 139, being an act entitled "An act to amend articles 746 and 747, of chapter 11, title 17, of the penal code,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

All of which is respectfully submitted.

CRANE, Acting Chairman.

Bill read first time.

Senator Crane made the following report:

#### COMMITTEE ROOM,

Austin, February 3, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your Judiciary committee No. 2, to whom was referred

Senate bill No. 185, being an act entitled "An act to amend chapter 2, of title 7, of the criminal code of the State of Texas, by adding thereto article 187a, limiting the operation of said chapter 2 to the hours between the hour of 9 a. m. and the hour of 4 p. m."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.  
CRANE, Chairman.

Bill read first time.

Senator Kearby offered the following minority report:

COMMITTEE ROOM,  
Judiciary No. 2.

The undersigned beg leave to dissent from the majority report of said committee, recommending that Senate bill No. 185 do pass.

We believe that the passage of this law will greatly increase crime, discourage moral sentiment and injurious to the general healthfulness of our common country; that it will establish nuisances in our large cities and we enter our solemn protest against its passage and recommend that it do not pass.

Respectfully submitted.

G. KEARBY,  
JNO. A. CRANFORD.

Minority report of committee Judiciary No. 2.

Senator Crane made the following report:

COMMITTEE ROOM,  
Austin, February 2, 1891.

Hon. George C. Pendleton, President of the Senate:

Your Judiciary committee No. 2, to whom was referred

Senate bill No. 94, being "An act entitled an act to amend articles 1277 and 1278, title 29, chapter 10, of the revised statutes of the State of Texas,"

Have had the same under consideration, and I am instructed to report the same back to the Senate without recommendation, for the reason that Senate bill No. 43, containing the same subject matter, has been favorably reported by said committee.

All of which is respectfully submitted.

CRANE, Chairman.

Bill read first time.

Senator Kimbrough asked if it was necessary to have committee reports read in full with the caption of bills on first reading.

Senator Page stated that under the

present rules it was necessary, but he would call up a resolution to amend the rules after morning call.

Senator Crane made the following report:

COMMITTEE ROOM,  
Austin, February 3, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your Judiciary committee No. 2, to whom was referred

Senate bill No. 60, being "An act entitled an act to amend chapter 5, title 8 of the code of criminal procedure, by repealing article 685 thereof."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

All of which is respectfully submitted.

CRANE, Chairman.

Bill read first time.

Senator Crane made the following report:

COMMITTEE ROOM,  
Austin, February 3, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your Judiciary committee No. 2, to whom was referred

Senate bill No. 43, being "An act entitled 'An act to amend articles 1277 and 1278, title 29, chapter 10, of the revised statutes,'"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

CRANE, Chairman.

Bill read first time.

Senator Crane made the following report:

COMMITTEE ROOM,  
Austin, February 3, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your Judiciary committee to whom was referred

Senate bill No. 44, being 'An act to be entitled 'An act to define and punish usury.'"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

CRANE, Chairman.

Bill read first time.

Senator Craue made the following report:

COMMITTEE ROOM,  
Austin, Jan. 28, 1891.

Hon. George C. Pendleton, President  
of the Senate:

Sir—Your Judiciary committee No. 2, to whom was referred

Senate bill No. 88, being "An act entitled an act to make it penal for any railroad company, transportation company or any kind of common carriers, or for any officer, agent or employee of same to grant, issue or send or deliver any free pass or ticket, or pass, or ticket at a discount other than as sold to the public generally; or for any legislative, executive or judicial officer of this state, or for any district, county or municipal officer whatsoever in this state to accept, use or travel on such free pass or ticket, or such pass or ticket at a discount other than is sold to the public generally, and to prescribe the punishment therefor."

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do pass with the accompanying amendments.

CRANE, Chairman.

Bill read first time.

Senator Potter made the following report:

#### COMMITTEE REPORT.

COMMITTEE ROOM,  
Austin, February 2, 1891.

Hon. Geo. C. Pendleton, President of  
the Senate:

Sir—Your Committee on Incorporated Cities and Towns, to whom was referred

Senate bill No. 215, entitled "An act to amend sections 10, 21, 28, 94, 120, 140, 158 and 161 of an act entitled 'An act to incorporate the city of Dallas and grant it a new charter, approved March 13, 1889.'"

Have had the same under consideration, and instruct me to report the same back to the Senate with the recommendation that it do pass with the following amendment:

Strike out all after section 161 and insert the following:

"The city public schools shall be under the exclusive management and control of a board of school trustees who shall serve without compensation, composed of one member from each ward, who shall be elected by the qualified voters of their respective wards for a term of two years, at the same time and in the the same manner that the aldermen of

the city are elected, vacancies occurring from any cause shall be filled by a majority vote of the whole board, and the person so elected shall be a resident of the ward in which the vacancy occurred and shall serve out the unexpired term. The board of school trustees shall have all the powers and be subject to all the duties and restrictions in the management of the city public schools that are conferred and imposed by the statutes of the State relating to public schools in cities and towns having exclusive control of their schools by a board of trustees. The city council shall annually supplement the school fund by appropriation out of the general fund of the city sufficient to run the city public free schools for a term of nine months until such time as the people of the city may vote a special tax for public school purposes."

All of which is respectfully submitted.

POTTER, Chairman.

Bill and amendment read first time.

Senator Potter made the following report:

COMMITTEE ROOM.

Austin, February 2, 1891.

Hon. George C. Pendleton, President  
of the Senate:

Sir—Your committee on Incorporated Cities and Towns to whom was referred

Senate bill No. 202, entitled "An act to amend article 503, title 17, chapter 10 of the revised civil statutes of the State of Texas in relation to cities and towns, and to add thereto articles 503a and 503b."

Have had the same under consideration and instruct me to report the same back to the Senate with the recommendation that it do pass, with the following amendments:

Where article 503a appears in said bill strike out the letter "a" and insert the letter "c."

Also strike out the word "preceding" where the same appears in article 503a of said bill, first line, page 1, and insert after article, "503."

Also strike out all of article 503b of said bill.

All of which is respectfully submitted.

Potter, chairman.

Bill and amendments read first time.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
AUSTIN, February 3, 1891.

Hon. Geo. C. Pendleton, President of

the Senate:

Sir—I am instructed by the House to inform you of the passage of the following bills:

House bill No. 135, "An act to restore to and confer upon the county court of Nacogdoches county the civil and criminal jurisdiction heretofore belonging to it under the constitution and general laws of the State, and to conform the jurisdiction of the district court of said county to such change."

Also House bill No. 29, "An act making appropriations for estimated deficiencies in appropriations for the support of the State government from March 1, 1889, to February 23, 1891."

SAM H. DIXON,

Chief Clerk House of Representatives.

Senator Johnson made the following report:

COMMITTEE ROOM,

Austin, February 3, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your committee on Internal Improvements to whom was referred

Senate bill No. 184, being "An act to be entitled an act to punish railroad ticket brokers and railroad ticket scalpers,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

JOHNSON, Chairman.

Bill read first time.

Senator Maetze made the following report:

COMMITTEE ROOM,

Austin, February 2, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your committee on Education, to whom was referred

Senate bill No. 161, being "An act to amend section 47, of chapter 25, called session of the Eighteenth Legislature, being an act to establish and maintain a system of public free schools for the State of Texas, and to repeal so much of chapter 3, of title 78, of the revised civil statutes of Texas as refer to the public free schools outside of incorporated cities and towns assuming or having assumed control of their public free schools,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following amendments:

Amend section 1, line 4, page 2, by striking out "general revenue" and inserting "available school fund."

And strike out the first three lines on last page.

All of which is respectfully submitted.

Bill and amendments read first time.

E. G. MAETZE,

Acting Chairman.

Senator Maetze made the following report:

COMMITTEE ROOM,

Austin, February 2, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on Education, to whom was referred

Senate bill No. 218, being "An act to provide for taking the scholastic census annually in counties having the community and district system and such cities and towns as may have assumed or may hereafter assume control of the public schools.

"And to provide who shall take said scholastic census and the time and manner in which the same shall be taken. And for a revision of said census by the various school boards or trustees, and for reports so revised to be made to the county superintendent and county judges, and to the State superintendent of public instruction, and providing compensation for taking such census, and providing a penalty for a violation of the provisions of this act, and to repeal all laws in conflict with the provisions of this act,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it be pass.

All of which is respectfully submitted.

E. G. MAETZE, Acting Chairman.

Bill read first time.

RULES AND RESOLUTIONS.

By Senator Stephens:

A bill to be entitled "An act to amend article 4659 of the revised civil statutes of Texas."

Referred to Judiciary committee No. 1.

By Senator Potter:

A bill to be entitled "An act to provide for binding out of minors who have become paupers and as such have become a charge upon the county.

Referred to Judiciary committee No. 2.

By Senator Potter:

Concurrent resolution.

Read first time and laid over subject to call.

By Senator Seale (by request).

A bill to be entitled "An act to amend chapter 3, title 53 of the revised statutes relating to insurance by adding thereto article 2945a."

Referred to committee on Insurance Statistics and History.

By Senator Weisiger:

A bill to be entitled "An act to amend article 4659, title 93, chapter 5 of the revised civil statutes of the state of Texas."

Referred to committee on Stock and Stockraising.

Senator Page moved to postpone pending business and take up the report of the committee on Rules, amending rules 29 and 30.

Carried.

Rule 29 as amended was read by the secretary, as follows:

Rule 29. A bill when introduced shall be read and referred to a committee. The first reading of a bill, if Senate bill, shall be the reading thereof when introduced. If a House bill, the reading thereof when transmitted to the Senate. And all House bills, when received in the Senate, shall be read and referred to a committee. No action shall be taken upon a bill, accepting, rejecting or amending the same, until it has been reported upon by a committee.

The rule as amended was adopted.

Rule 30 as amended was read by the secretary.

On motion of Senator Simkins the original rule was read with the amendment.

Rule 30. No motion shall be necessary to pass a bill to its second reading. The main question on the second reading of the bill shall be, if a Senate bill, "Shall this bill be engrossed and passed to a third reading?" And if it be a House bill, "Shall this bill pass to a third reading?" Was read by the secretary and adopted.

Senator Crane called up his motion to reconsider the vote by which a House resolution to appoint a committee to visit the penitentiaries, etc., was tabled.

The following messages from His Excellency, the Governor, were received and read:

EXECUTIVE OFFICE,

Austin, February 3, 1891.

To the Senate of the State of Texas:

I ask your advice and consent to the appointment of W. L. Davidson to the office of judge of the court of appeals of Texas.

Respectfully,

J. S. HOGG,

Governor of Texas.

EXECUTIVE OFFICE,

Austin, February 3, 1891.

To the Senate of the State of Texas:

I ask your advice and consent to the appointment of O. B. Colquit, J. B. Porter, Nestor Morrow, S. E. Wascom, B. H. Scott, as the board of managers of the lunatic asylum at Terrell.

Respectfully,

J. S. HOGG,

Governor of Texas.

EXECUTIVE OFFICE,

Austin, February 3, 1891.

To the Senate of the state of Texas:

I ask your advise and consent to the appointment of A. L. Teagarden, E. M. House, Jo Rogers, D. H. Hewlett, B. J. Kopperl, as the board of managers of the lunatic assylum at Austin.

Respectfully,

J. S. HOGG,

Governor of Texas.

On Senator Crane's motion to reconsider, the vote was as follows:

YEAS—17.

Atlee,	Garwood,	Pope,
Clark,	Johnson,	Potter,
Clemens,	Kearby,	Simkins,
Crane,	Kimbrough,	Weisiger,
Cranford,	Lubbock,	Whatley.
Finch,	Maetze.	

NAYS—4.

Carter,	Page,	Seale,
		Stephens.

No quorum voting. On motion of Senator Kimbrough a call of the Senate was ordered.

Roll call developed a quorum as follows:

PRESENT—20.

Atlee,	Garwood,	Potter,
Carter,	Johnson,	Seale,
Clark,	Kearby,	Simkins,
Clemens,	Kimbrough,	Stephens,
Crane,	Lubbock,	Weisiger,
Cranford,	Maetze,	Whatley.
Finch,	Page,	

ABSENT—4.

Pope.	Sims,	Townsend,
		Tyler.

On motion of Senator Stephens the call was suspended.

Senator Stephens offered the following amendment, which was read second time:

Amend resolution by adding thereto the following:

Provided that the committee sent to visit the proposed State farm shall also visit Wilbarger county to ascertain the advisability of buying a State wheat farm in that county, for the purpose of working convicts thereon to supply all the State institutions with flour, hay, etc.

Lost.

Senator Kearby offered the following amendment:

Amend by striking out 2 and 3

where it occurs, providing for committee to visit penitentiaries and insert 3 and 5 in lieu thereof.

Senator Kimbrough made the point of order that the amendment offered by Senator Kearby could not be entertained for the reason an amendment embodying the same subject matter had been voted down when the resolution was being considered by the Senate on the 29th ult., and no motion to reconsider had been entered within the time prescribed by the rules.

The chair ruled that it was not in his province to decide the question, but that of the Senate.

On motion of Senator Pope the previous question was ordered. The amendment was lost by the following vote:

## YEAS—5.

Clark, Clemens,	Johnson, Kearby,	Pope.
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## NAYS—16.

Atlee, Carter, Crane, Cranford, Finch,	Garwood, Kimbrough, Lubbock, Maetze, Page,	Potter, Seale, Simkins, Stephens, Weisiger, Whatley.
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Senator Johnson moved to adjourn to 10 o'clock to-morrow.

Lost.

Question recurring to the following joint resolution:

Whereas, There are measures pending before the Legislature in which the people of the entire State feel the deepest concern as affecting their welfare, and

Whereas the successful enactment of these measures into laws are and should be matters of the first importance and paramount in consideration to all others, and

Whereas, A majority of this body are pledged to use every exertion to bring about a consummation of the legislation aforesaid, and

Whereas, It is highly probable that a bill redistricting and reapportioning the State into congressional and other districts will give rise to a protracted and heated controversy and struggle to the prejudice of other legislation of greater importance and in which the people feel, at this juncture, a profounder interest, therefore

Be it resolved by the Senate, That it is the sense of this body that the consideration of any bill providing for the reapportionment and redistricting aforesaid will be under the circumstances unwise and out of place at this session of the legislature in view of the urgency of other matters demanding legislative action, and the limitations of time within which legislation may be had.

And the ayes and nays being called for it was adopted by the following vote:

## YEAS—12.

Clark, Clemens, Crane, Garwood,	Johnson, Kearby, Kimbrough, Lubbock,	Pope, Simkins, Weisiger, Whatley.
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## NAYS—9.

Atlee, Carter, Cranford,	Finch, Maetze, Page,	Potter, Seale, Stephens.
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On motion of Senator Kimbrough the Senate went into executive session.

## IN SENATE.

By consent Senator Clemens offered the following petition:

Petition of citizens of Comal county relating to Sunday laws.

Read first time and referred to committee on State Affairs.

By consent Senator Maetze made the following report:

COMMITTEE ROOM,  
Austin, February 3, 1891.

Hon. George C. Pendleton, President of the Senate.

Sir—Your committee on rules to whom was referred resolution by Senator Page:

Resolved, That hereafter, when committee reports are handed in they shall be printed in the journal without being read by the secretary.

Have had the same under consideration and am instructed to report the same back to the Senate with the recommendation that it be adopted.

E. G. MAETZE, Chairman.

Resolution read first time.

Senator Potter offered the following concurrent resolution:

Resolved by the Senate, the House concurring, that the committee appointed to visit state institutions be instructed to visit them in the following order:

First—Penitentiaries.

Second—Asylums.

Giving as great a portion of the time granted to them as possible to these institutions and the other institutions mentioned in the joint resolution to be visited or not, according to whether said committee or committees have time and opportunity to do so.

Senator Page offered the following amendment:

Provided the committee visiting the state prisons shall make a thorough report on same, giving facts without recommendations.

The following appointments by the Governor were announced as confirmed by the Senate:

W. L. Davidson to be judge of the court of appeals.

O. B. Colquit, J. B. Porter, Nestor Morrow, S. E. Wascom and B. H. Scott to be board of managers of the lunatic asylum at Terrell.

On motion of Senator Johnson the Senate adjourned to 10 o'clock a. m. to-morrow.

#### TWENTIETH DAY.

SENATE CHAMBER.  
AUSTIN, Texas, Feb. 4 1891. }

Senate met pursuant to adjournment.  
President Pro Tem Canford in the chair.  
Roll call.

Quorum present.

The following Senators answering to their names:

#### PRESENT—24.

Atlee,	Ingram,	otter,
Carter,	Johnson,	Seale,
Clark,	Kearby,	Simkins,
Clemens,	Kimbrough,	Stephens,
Crane,	Lubbock,	Townsend,
Cranford,	Maetze,	Tyler,
Garwood,	McKinney,	Weigiger,
Harrison,	Page,	Whatley.

#### ABSENT—3.

Finch,  
Frank,  
Pope.

Prayer by the chaplain, Dr. Smoot.  
Pending the reading of the journal by the secretary, Senator Whatley moved to suspend the further reading of the same.  
Carried

#### COMMITTEE REPORTS.

Senator Pope made the following report:

COMMITTEE ROOM,  
Austin, February 3, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 69, being "An act to provide for the appointment of district stenographers for the several judicial districts of this state, to define their duties, fix their compensation and provide for the payment of the same."

Have had the same under consideration, and am instructed to report the same back to the Senate with the recommendation that it do pass, with following amendments:

Amend by inserting in line 13, after word "same" the following:

"If any one interested in the suit shall object to his performing the duties of stenographer in the trial of the case."

Amend line 1, section 4, page 2, by adding after "courts," "except in cases where counsel may agree to dispense with the services of said stenographer."

Insert in line 4, page 2, after the word "cause," "where the charge is written."

POPE, Chairman.

Read first time.

Senator Pope made the following report:

COMMITTEE ROOM,  
Austin, February 3, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred Senate bill No. 179, being "An act to amend article 1363, title XXIX, chapter 16, of the revised civil statutes."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

POPE, Chairman.

Read first time.

Senator Pope made the following report:

COMMITTEE ROOM,  
Austin, February 3, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred Senate bill No. 177, being "An act to amend article 1941, title XXXVII, chapter 12 of the revised civil statutes of the state of Texas and to repeal article 1945 of the same title and chapter."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

POPE, Chairman.

Read first time.

Senator Pope made the following report:

COMMITTEE ROOM,  
Austin, February 3, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 140, being "An act to authorize the judges of the supreme court of the state of Texas to employ each a stenographer, and providing for their compensation and qualification,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

POPE, Chairman.

Read first time.